

**This is the third draft of this ordinance. The first draft was released on October 3, 2013 and the second draft was released in April, 2014. This third draft includes some revisions based on the feedback received on the second draft. This draft ordinance is intended to provide baseline standards for solar and wind energy projects. Where a discretionary permit is required, project conditions and/or mitigation measures will be required to address site specific needs.**

**Please send your questions and comments regarding this draft ordinance via email or postal mail to:**

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**Comments on this draft are due \_\_\_\_\_.**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 22 . Planning and Zoning . of the Los Angeles County Code related to the establishment of regulations for small-scale solar energy systems, small-scale wind energy systems, utility-scale solar energy facilities, utility-scale wind energy facilities, and temporary meteorological towers; and other related amendments.

**SECTION 1.** Section 22.08.040 D is hereby amended to read as follows:

**22.08.040 D**

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-- ~~%Decommissioning+ means the discontinuance of a permitted use and removal of all structures, equipment, footings, and fencing associated therewith from a property, which includes safe storage, dismantling, disposal, and/or recycling; and site restoration.~~

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**SECTION 2.** Section 22.08.070 G is hereby amended to read as follows:

**22.08.070 G**

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-- ~~%Guy wires+ means wires or cables used to support a wind tower as defined by Section 22.08.230, or other structures that require the use of such wires or cables for support.~~

**SECTION 3.** Section 22.08.130 M is hereby amended to read as follows:

**22.08.070 M**

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-- ~~%~~Meteorological tower, temporary (Temp Met Tower)+ means a facility consisting of a tower and related wind-measuring devices, which is used ~~solely~~ to measure winds preliminary to construction of a ~~non-commercial~~ small-scale wind energy ~~conversion system~~ or utility-scale wind energy facility.

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**SECTION 4.** Section 22.08.190 S, is hereby amended to read as follows:

**22.08.190 S**

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-- ~~%~~Small-scale solar energy system+ means a system where solar energy is used to generate direct electrical or thermal energy primarily for on-site use. Such system may be affixed either to the ground or to a structure other than the system's mechanical support structure, such as a building or carport. . Any energy generated by such system that exceeds the on-site energy demand may be used off-site.

-- ~~%~~Small-scale wind energy system+ means a system where wind energy is used to generate direct electrical energy primarily for on-site use. Such system may be affixed to either the ground or to a structure other than the system's mechanical support structure, such as a building or carport. Such system has a rated capacity of 50 kilowatts or fewer. Any energy generated by such system that exceeds the on-site energy demand may be used off-site.

-- ~~%~~Solar array+ means the mechanically integrated assembly of modules or panels with a support structure and foundation, tracker, and other components, as required to generate direct electrical or thermal energy using solar energy. Solar arrays

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do not include concentrated solar thermal devices, which use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

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**SECTION 5.** Section 22.08.210 U is hereby amended to read as follows:

**22.08.210 U**

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-- Utility-scale solar energy facility, ground-mounted. %Ground-mounted utility-scale solar energy facility+ means a facility affixed to the ground where solar energy is used to generate direct electrical or thermal energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to solar arrays, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale solar energy facility, structure-mounted. %Structure-mounted utility-scale solar energy facility+ means a facility affixed to a structure that is separate from the facility's mechanical support structure, such as a building or carport, where solar energy is used to generate direct electrical or thermal energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to solar arrays, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale wind energy facility, ground-mounted. %Ground-mounted utility-scale wind energy facility+ means a facility affixed to the ground where wind

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energy is used to generate direct electrical energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to wind towers, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale wind energy facility, structure-mounted. %Structure-mounted utility-scale wind energy facility+ means a facility affixed to a structure that is separate from the facility's mechanical support structure, such as a building or carport, where wind energy is used to generate direct electrical energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to wind towers, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

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**SECTION 6.** Section 22.08.230 W is hereby amended to read as follows:

**22.08.230 W**

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~~--- %Wind energy conversion system, non-commercial (WECS-N)+ means a facility consisting of a tower, wind turbine generator with blades, guy wires and anchors, and associated control and conversion electronic equipment to convert wind movement into electricity, with a rated capacity of not more than 50 kW; and that is incidental and subordinate to another use on the same parcel. A facility shall be considered a WECS-N only if it supplies electrical power solely for on-site use, except that when a parcel on~~

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~~which a WECS-N is installed also received electrical power supplied by a utility company, excess electrical power generated by the WECS-N and not presently needed for on-site use may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power.~~

~~-- %Wind tower+ means the vertical component, including blades if any, of a small-scale wind energy system, a utility-scale wind energy facility, or a temporary meteorological tower that elevates the wind turbine generator and attached blades above the ground.~~

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**SECTION 7.** Section 22.20.080 is hereby amended to read as follows:

**22.20.080 Accessory Uses.**

Property in Zone R-1 may be used for the following accessory uses:

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-- Signs as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 8.** Section 22.20.100 is hereby amended to read as follows:

**22.20.100 Uses Subject to Permits.**

Property in Zone R-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Subdivision directional signs subject to the limitations and conditions of Part 8 of Chapter 22.56.

-- Meteorological tower, temporary, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~--- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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**SECTION 9.** Section 22.20.170 is hereby amended to read as follows:

**22.20.170 Permitted Uses.**

Property in Zone R-2 may be used for:

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-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with

Part 15 of Chapter 22.52.

**SECTION 10.** Section 22.20.180 is hereby amended to read as follows:

**22.20.180 Accessory Uses.**

Property in Zone R-2 may be used for:

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter

22.52.

**SECTION 11.** Section 22.20.200 is hereby amended to read as follows:

**22.20.200 Uses Subject to Permits.**

Property in Zone R-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

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-- Telephone repeater stations.



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-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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**SECTION 12.** Section 22.20.260 is hereby amended to read as follows:

**22.20.260 Permitted Uses.**

Property in Zone R-3-( )U may be used for:

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-- Townhouses.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

**SECTION 13.** Section 22.20.270 is hereby amended to read as follows:

**22.20.270 Accessory Uses.**

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 14.** Section 22.20.290 is hereby amended to read as follows:

**22.20.290 Uses Subject to Permits.**

Property in Zone R-3-( )U may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

-- ~~Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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**SECTION 15.** Section 22.20.340 is hereby amended to read as follows:

**22.20.340 Permitted Uses.**

Property in Zone R-4-( )U may be used for:

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-- Townhouses.

-- Utility-scale solar energy facility, structure-mounted, in accordance with

Part 15 of Chapter 22.52.

**SECTION 16.** Section 22.20.350 is hereby amended to read as follows:

**22.20.350 Accessory Uses.**

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter

22.52.

**SECTION 17.** Section 22.20.370 is hereby amended to read as follows:

**22.20.370 Uses Subject to Permits.**

Property in Zone R-4-( )U may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

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-- Telephone repeater stations.

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-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~--- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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**SECTION 18.** Section 22.20.410 is hereby amended to read as follows:

**22.20.410 Permitted Uses.**

Property in Zone R-A may be used for:

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-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

**SECTION 19.** Section 22.20.420 is hereby amended to read as follows:

**22.20.420 Accessory Uses.**

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 20.** Section 22.20.440 is hereby amended to read as follows:

**22.20.440 Uses Subject to Permits.**

Property in Zone R-A may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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**SECTION 21.** Section 22.24.070 is hereby amended to read as follows:

**22.24.070 Permitted Uses.**

Premises in Zone A-1 may be used for:

A. The following uses:

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-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance

with Part 15 of Chapter 22.52.

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**SECTION 22.** Section 22.24.080 is hereby amended to read as follows:

**22.24.080 Accessory Uses.**

Property in Zone A-1 may be used for:

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D. Small-scale solar energy system, in accordance with Part 15 of Chapter

22.52.

**SECTION 23.** Section 22.24.100 is hereby amended to read as follows:

**22.24.100 Uses Subject to Permits.**

Property in Zone A-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

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-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

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-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- ~~Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

**SECTION 24.** Section 22.24.120 is hereby amended to read as follows:

**22.24.120 Permitted Uses.**

Premises in Zone A-2 may be used for:

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D. The following additional uses:

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-- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 25.** Section 22.24.130 is hereby amended to read as follows:

**22.24.130 Accessory Uses.**

Property in Zone A-2 may be used for:

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D. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 26.** Section 22.24.150 is hereby amended to read as follows:

**22.24.150 Uses Subject to Permits.**

Property in Zone A-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.



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-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

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-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- ~~Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

**SECTION 27.** Section 22.28.030 is hereby amended to read as follows:

**22.28.030 Permitted Uses.**

Premises in Zone C-H may be used for the following:

A. Services.

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-- Stations . Bus, railroad, and taxi.

-- Utility-scale solar energy facility, structure-mounted, in accordance  
with Part 15 of Chapter 22.52.

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**SECTION 28.** Section 22.28.040 is hereby amended to read as follows:

**22.28.040 Accessory Uses.**

Premises in Zone C-H may be used for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter  
22.52.

**SECTION 29.** Section 22.28.060 is hereby amended to read as follows:

**22.28.060 Uses Subject to Permits.**

Premises in Zone C-H may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of  
Chapter 22.52.

õ

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

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-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 30.** Section 22.28.080 is hereby amended to read as follows:

**22.28.080 Permitted Uses.**

Premises in Zone C-1 may be used for:

A. The following commercial uses, provided all sales are retail and all goods sold except genuine antiques are new:

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2. Services.

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-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 31.** Section 22.28.090 is hereby amended to read as follows:

**22.28.090 Accessory Uses.**

Premises in Zone C-1 may be used for:

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B. The following additional accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

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**SECTION 32.** Section 22.28.110 is hereby amended to read as follows:

**22.28.110 Uses Subject to Permits.**

Premises in Zone C-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

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-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

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-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 33.** Section 22.28.130 is hereby amended to read as follows:

**22.28.130 Permitted Uses.**

Premises in Zone C-2 may be used for:

A. The following commercial uses, provided all sales are retail and all goods sold except genuine antiques are new:

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2. Services.

õ

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 34.** Section 22.28.140 is hereby amended to read as follows:

**22.28.140 Accessory Uses.**

Premises in Zone C-2 may be used for:

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C. The following additional accessory uses:

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

**SECTION 35.** Section 22.28.160 is hereby amended to read as follows:

**22.28.160 Uses Subject to Permits.**

Premises in Zone C-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

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-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

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-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 36.** Section 22.28.180 is hereby amended to read as follows:

**22.28.180 Permitted Uses.**

Premises in Zone C-3 may be used for:

A. The following commercial uses, provided a commercial appearance is maintained by office or window display:

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2. Services.

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-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 37.** Section 22.28.190 is hereby amended to read as follows:

**22.28.190 Accessory Uses.**

Premises in Zone C-3 may be used for:

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C. The following additional accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

**SECTION 38.** Section 22.28.210 is hereby amended to read as follows:

**22.28.210 Uses Subject to Permits.**

Premises in Zone C-3 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

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-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

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-- Travel trailer parks as provided in Part 6 of Chapter 22.52.



-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 39.** Section 22.28.230 is hereby amended to read as follows:

**22.28.230 Permitted Uses.**

Premises in Zone C-M may be used for:

A. The following commercial uses:

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2. Services.

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-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 40.** Section 22.28.090 is hereby amended to read as follows:

**22.28.240 Accessory Uses.**

Premises in Zone C-M may be used for:

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C. The following additional accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 41.** Section 22.28.260 is hereby amended to read as follows:

**22.28.260 Uses Subject to Permits.**

Premises in Zone C-M may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Skating rinks, ice or roller.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

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-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance  
with Part 15 of Chapter 22.52.

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**SECTION 42.** Section 22.28.290 is hereby amended to read as follows:

**22.28.290 Permitted Uses.**

A. Premises in Zone C-R may be used for:

1. Services.

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-- Tourist information centers.

-- Utility-scale solar energy facility, structure-mounted, in  
accordance with Part 15 of Chapter 22.52.

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**SECTION 43.** Section 22.28.300 is hereby amended to read as follows:

**22.28.300 Accessory Uses.**

Premises in Zone C-R may be used for:

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter  
22.52.

**SECTION 44.** Section 22.28.320 is hereby amended to read as follows:

**22.28.320 Uses Subject to Permits.**

Premises in Zone C-R may be used for:

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A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Ski lifts, tows, runs, and warming huts.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

-- Theaters, drive-in.

-- Utility-scale solar energy facility, ground-mounted, in accordance

with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance

with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance

with Part 15 of Chapter 22.52.

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**SECTION 45.** Section 22.32.110 is hereby amended to read as follows:

**22.32.110 Accessory Uses.**

Premises in Zone M-1 1/2 may be used for the following accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 46.** Section 22.32.130 is hereby amended to read as follows:

**22.32.130 Uses Subject to Permits.**

Premises in Zone M-1 1/2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

-- Signs, outdoor advertising, subject to the provisions of Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Theaters and other auditoriums having a seating capacity exceeding 3,000 seats.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

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-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 47.** Section 22.32.170 is hereby amended to read as follows:

**22.32.170 Accessory Uses.**

Premises in Zone M-2 or Zone M-4 may be used for the following accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

**SECTION 48.** Section 22.32.190 is hereby amended to read as follows:

**22.32.190 Uses Subject to Permits.**

A. The following uses, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit, except that in Zone M-4 a conditional use permit is required for uses in subdivisions 1, 2, and 3 of this subsection A only where the use listed is located within 300 feet of a public school, public park or a residential or A-1 Zone:

õ

6. Uses.

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-- Small-scale wind energy system, in accordance with Part 15  
of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15  
of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in  
accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in  
accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in  
accordance with Part 15 of Chapter 22.52.

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**SECTION 49.** Section 22.32.280 is hereby amended to read as follows:

**22.32.280 Accessory Uses.**

Premises in Zone M-2 1/2 may be used for the following accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter  
22.52.

**SECTION 50.** Section 22.40.190 is hereby amended to read as follows:

**22.40.190 Permitted Uses.**

Premises in Zone R-R may be used for:

A. The following commercial uses:

...

2. Services.

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-- Tourist information centers.

-- Utility-scale solar energy facility, structure-mounted, in

accordance with Part 15 of Chapter 22.52.

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**SECTION 51.** Section 22.40.200 is hereby amended to read as follows:

**22.40.200 Accessory Uses.**

Premises in Zone R-R may be used for:

A. The following accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

õ

**SECTION 52.** Section 22.40.220 is hereby amended to read as follows:

**22.40.220 Uses Subject to Permits.**

Premises in Zone R-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

-- Signs, as provided in Part 10 of Chapter 22.52.



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-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 53.** Section 22.40.260 is hereby amended to read as follows:

**22.40.260 Accessory Uses.**

Premises in Zone W may be used for the following accessory uses:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, structure-mounted, in accordance with Part 15 of Chapter 22.52.

**SECTION 54.** Section 22.40.280 is hereby amended to read as follows:

**22.40.280 Uses Subject to Permits.**

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Premise in Zone W may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

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-- Restaurants and other eating establishments, including food take-out.

-- Small-scale solar energy system, ground-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 55.** Section 22.40.410 is hereby amended to read as follows:

**22.40.410 Permitted Uses.**

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C. Permitted uses in Zone O-S, accessory to a principal use listed under Subsection B of this section, Section 22.40.420.B, Section 22.40.430.A, and Section 22.40.430.B: Small-scale solar energy system, structure-mounted, in accordance with Part 15 of Chapter 22.52.

**SECTION 56.** Section 22.40.430 is hereby amended to read as follows:

**22.40.430 Uses Subject to Permits.**

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

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-- Energy generating or storage devices, including but not limited to **geothermal devices**.

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-- Ski lifts, tows, runs, and warming huts on a lot or parcel of land having as a condition of use an area of not less than five acres.

-- Small-scale solar energy system, ground-mounted, in accordance with Part 15 of Chapter 22.52.

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**SECTION 57.** Section 22.44.113 is hereby amended to read as follows:

**22.44.113 Agua Dulce Community Standards District.**

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D. Community-wide Development Standards.

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8. Significant Ridgeline Protection. For purposes of this section, ridgelines are defined as the line formed by meeting the tops of sloping surfaces of land, and significant ridgelines are defined as ridgelines which are highly visible and dominate the landscape. The locations of the significant ridgelines within this CSD are shown on the map following this section and the criteria used for their designation are provided in the appendix following this section.

a. The highest point of any structure, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and small-scale wind energy ~~conversion~~ systems, shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline; and

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**SECTION 58.** Section 22.44.113 is hereby amended to read as follows:

**22.44.113 Altadena Community Standards District.**

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C. Community-wide Development Standards.

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2. Hillside Management.

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d. Significant Ridgeline Protection. Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant Ridgelines are highly visible ridgelines that dominate the landscape. The locations of the significant ridgelines within the CSD are shown on the map following this Section.

i. The highest point of any structure shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and small-scale wind energy conversion ~~conversion~~ systems.

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**SECTION 59.** Section 22.44.133 is hereby amended to read as follows:

**22.44.133 Santa Monica Mountains North Area Community Standards District.**

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D. Community-wide Development Standards.

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5. Significant Ridgeline Protection.

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b. The highest point of a structure that requires any permit shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, small-scale wind energy ~~conversion~~ systems, and amateur radio antennas.

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**SECTION 60.** Section 22.44.143 is hereby amended to read as follows:

**22.44.143 Elizabeth Lake and Lake Hughes Community Standards**

**District.**

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D. Community-Wide Development Standards.

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4. Utilities.

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b. Utility Devices.

i. Small-Scale Solar Energy Systems ~~Utility Devices~~.

(A) Ground-~~—~~mounted small-scale solar energy systems shall be placed at least five (5) feet from the nearest property line; and

(B) Ground-~~—~~mounted small-scale solar energy systems less than ten (10) feet in height shall be set back an additional three (3) feet from the nearest property line for every one foot less than ten (10) feet in height.

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10. Significant Ridgeline Protection.

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b. The highest point of a structure shall be located at least one hundred-fifty (150) vertical feet and one hundred-fifty (150) horizontal feet in a southerly direction from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radios, and small-scale wind energy ~~conversion~~-systems.

c. No portion of any structure shall be located less than fifty (50) horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and small-scale wind energy ~~conversion~~-systems.

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**SECTION 61.** Section 22.44.144 is hereby amended to read as follows:

**22.44.144 San Francisquito Canyon Community Standards District.**

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D. Community-wide Development Standards.

o

10. Significant Ridgeline Protection.

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b. The highest point of a structure shall be located at fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and small-scale wind energy ~~conversion~~ systems.

c. Any modification to subsection D.10.b. shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the ~~Director~~, Hearing Officer, or Commission shall make the following findings in addition to those required by Section 22.56.090:

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**SECTION 62.** Part 15 of Chapter 22.52 is hereby repealed in its entirety.

**SECTION 63.** Part 15 of Chapter 22.52 is hereby added to read as follows:

**PART 15**

**RENEWABLE ENERGY**

**SECTIONS:**

22.52.1600	Purpose.
22.52.1605	Applicability.
22.52.1610	Application Materials.
22.52.1615	Standards for Small-Scale Solar Energy Systems.
22.52.1620	Standards for Utility-Scale Solar Energy Facilities.
22.52.1625	Standards for Temporary Meteorological Towers.
22.52.1630	Standards for Small-Scale Wind Energy Systems.
22.52.1635	Standards for Utility-Scale Wind Energy Facilities.
22.52.1640	Modifications.
22.52.1645	Uses Subject to Permits . Aviation Review.
22.52.1650	Uses Subject to Permits . Findings.
22.52.1655	Uses Subject to Permits . Conditions of Approval.
22.52.1660	Enforcement Procedures.

**22.52.1600 Purpose.**

This Part 15 establishes regulations and permit requirements that support and facilitate the development of small-scale solar energy systems, small-scale wind energy systems, utility-scale solar energy facilities, utility-scale wind energy facilities, and temporary meteorological towers in a manner that protects public health, safety, and welfare and minimizes significant impacts to the environment.



**22.52.1605                      Applicability.**

A.        Applicability of this Part 15. The provisions of this Part 15 shall apply to the development of any small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower.

B.        Applicability of zone and supplemental district regulations. All provisions of the zone and any supplemental district in which a small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower is located shall also apply. Where a provision of the zone or supplemental district regulates the same matter as this Part 15, the provision of this Part 15 shall apply.

C.        Exemption. The provisions of this Part 15 shall not apply to any small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower approved prior to the effective date of the ordinance establishing this Part 15.

D.        Prohibition. Ground-mounted utility-scale solar energy facilities and ground-mounted utility-scale wind energy facilities shall be prohibited within adopted Significant Ecological Areas designated in the General Plan, and Economic Opportunity Areas designated in the Antelope Valley Area Plan.

E.        Subsequent application. The provisions of this Part 15 shall apply to:

1.        Any modification(s) that would increase the physical size, height, or footprint of a previously approved small-scale solar energy system, small-scale wind

energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower; and

2. Any modification(s) that would change the type of equipment used by the previously approved small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower, except for replacement of equipment for maintenance purposes.

**22.52.1610 Application Materials.**

A. If a site plan review is required, the applicant shall submit the following:

1. All materials and information required by Section 22.56.1680;
2. A site plan that in addition to the features required by subsection F of Section 22.56.1680 depicts:
  - a. Solar array footprint and height,
  - b. Solar array setbacks from the perimeter of a roof for solar arrays that are mounted to the roof of a building;
3. A minimum of six different color photographs of the project area with a photo-key map.

B. If a Minor Conditional Use Permit or Conditional Use Permit is required, the applicant shall submit the following:

1. All materials and information required by Section 22.56.030 and a Burden of Proof statement that substantiates the findings required by Section 22.52.1650;

2. A minimum of six different color photographs of the project area with a photo-key map;

3. Color photo simulations of the project area before construction of the project and after construction of the project;

4. Utility-scale solar energy facilities. The following additional materials shall be required for ground-mounted utility-scale solar energy facilities:

a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:

- i. Solar array footprint and height,
- ii. Solar array setbacks from all property lines,
- iii. Area and amount of grading and site disturbance,
- iv. Topography of the property,
- v. Watercourses on the property, if any
- vi. Access roads,
- vii. Required fencing,
- viii. Required signage,
- viii. Lighting,
- ix. Transmission lines,
- x. Significant ridgelines on the property, if any

b. Detailed landscaping plan that depicts:

- i. Required perimeter fencing, if any
- ii. Proposed plant species palette, including number and size,
- iii. Proposed water usage to plant and maintain proposed landscaping,

iv. Proposed timing and phasing of proposed landscaping,

c. Draft decommissioning plan,  
d. Hydrology study,  
e. Conceptual dust control plan,  
f. Glare study,  
g. Description of amount and source of water necessary for the construction and operation of the project;

5. Temporary meteorological towers. The following additional materials shall be required for temporary meteorological towers:

a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:

i. FAA-required safety lights, if any,  
ii. Required aviation-related paint markings and high visibility sleeves for ground-mounted temporary meteorological towers,  
iii. For ground-mounted temporary meteorological towers, guy wires and climbing apparatus, if any;

b. An elevation that depicts wind tower height;

6. Small-scale wind energy systems. In addition to the materials required by subsection B.5 of this Section, a site plan that depicts:

a. Manual and automatic wind tower blade overspeed controls,  
b. For ground-mounted small-scale wind energy systems, blade clearance from the finished grade and required signage, if any;

7. Utility-scale wind energy facilities. The following additional materials shall be required for utility-scale wind energy facilities:

- a. FAA-required safety lights, if any,
- b. Manual and automatic wind tower blade overspeed controls;
- c. An elevation that depicts wind tower height;
- d. For structure-mounted utility-scale wind energy facilities with wind towers that are mounted to the roof of a building, a site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts wind tower setbacks from the perimeter of a roof;

- b. For ground-mounted utility-scale wind energy facilities, in addition to the materials required by subsection B.4 of this Section, a site plan that depicts:

- i. Climbing apparatus, if any,
  - ii. Required aviation-related paint markings and high visibility sleeves for ground-mounted temporary meteorological towers,
  - iii. Runway Protection Zones on the property, if any,
  - iv. Airport Influence Areas on the property, if any;

8. Additional Materials. The Director may request additional materials at the time of application submission or during review by the Department if the Director determines such materials are necessary for adequate evaluation.

**22.52.1615 Standards for Small-Scale Solar Energy Systems.**

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A. Conformance with State requirements. A small-scale solar energy system shall be in conformance with the California Solar Rights Act (California Civil Code Section 714 et seq.).

B. Ground-mounted.

1. Height. The height of the solar array shall not exceed 15 feet.

2. Maximum lot coverage. The maximum lot coverage for solar arrays and any renewable energy accessory structures, shall be 25 percent of the lot or parcel of land or 2.5 acres, whichever is lesser.

C. Structure-mounted. The combined height of a structure and structure-mounted small-scale solar energy system shall not exceed the height limit of the zone by more than five feet.

**22.52.1620 Standards for Utility-Scale Solar Energy Facilities.**

A. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility-scale solar energy facility must meet all applicable development standards of the zone.

B. Structure-mounted. Structure-mounted utility-scale solar energy facilities shall be subject to the following standards:

1. Height. The combined height of a structure and structure-mounted utility-scale solar energy facility shall not exceed the height limit of the zone by more than five feet.

2. Setbacks. Setbacks from the perimeter of the roof shall be:

a. Three feet on residential buildings; or

b. Four feet on non-residential or mixed use buildings.

C. Ground-mounted. Ground-mounted utility-scale solar energy facilities shall be subject to the following standards:

1. Fencing. Fencing shall be required around the perimeter of the project. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

- a. Non-opaque fences may be permitted.
- b. Fencing up to eight feet in height may be permitted regardless of any other fencing standards.
- c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.
- d. Project perimeter fencing shall incorporate small animal-permeable design, unless otherwise modified by the Hearing Officer.

2. Height. Height of the solar array shall not exceed 25 feet.

3. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall consist of:

- a. Motion sensors for entry-lighting to the on-site equipment structures and buildings; and

b. Light-sensor or motion-sensor lighting for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings.

4. Setbacks. Setbacks from the property line shall be:

a. A minimum of 30 feet in agricultural zones; or

b. As provided in the base zone for all non-agricultural zones.

5. Signs. One ground-mounted or pole-mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner information and emergency contact. No other signs shall be installed for the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.

6. Significant ridgelines. The highest point of a utility-scale solar energy facility shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or in an applicable Community Standards District;

7. Coastal Zone. Within the Coastal Zone, the placement of any utility-scale solar energy facility shall not obstruct public views of the ocean from a Scenic or Visual Resource (e.g., Significant Ridgeline, Scenic Route, Scenic Element, and Scenic Viewshed) identified in the applicable Local Coastal Plan unless specific provisions for such siting are provided for in the applicable Local Coastal Plan and Coastal Development Permit or long-range development plan.

**22.52.1625 Standards for Temporary Meteorological Towers.**



A. All temporary meteorological towers shall be subject to the following standards:

1. Aviation safety. All safety lights required by the Federal Aviation Administration for any wind tower, shall comply with applicable Federal Aviation Administration standards. Any aviation-related agency or the Department may impose additional requirements as deemed necessary. No other lights shall be placed on the wind tower.

2. Maximum separation. Wind towers must be separated from each other by the safe industry practice depicted in Figure 22.52.1625-A, below.

**FIGURE 22.52.1625-A – SEPARATION STANDARDS  
FOR TEMPORARY METEOROLOGICAL TOWERS**

**FIGURE 22.52.1625-A  
HERE**

B. Structure-mounted. The combined height of a structure and structure-mounted wind tower shall not exceed the height limit of the zone by more than five feet.

C. Ground-mounted. Ground-mounted temporary meteorological towers shall be subject to the following standards:

1. Aviation Safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint. High visibility sleeves shall be installed on the outer guy wires with high spherical marker balls of aviation orange color.

2. Climbing apparatus. All climbing apparatus shall be located at least 12 feet above the finished grade, and all wind towers shall be designed to prevent

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climbing within the first 12 feet of the wind tower height, as measured from finished grade.

3. Location. The minimum setback for a wind tower shall be as depicted in Table 22.52.1625-A. The required distance shall also comply with any applicable fire setback requirements pursuant to California Public Resources Code Section 4290.

<b>TABLE 22.52.1625-A – SETBACK REQUIREMENTS FOR TEMPORARY METEOROLOGICAL TOWERS</b>	
<b>SETBACK FROM</b>	<b>MINIMUM DISTANCE</b>
On-site or Off-site Residence or Habitable Structure	1.5 x tallest wind tower height
Public Road or Highway	As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes
Above Ground Transmission Line, Public Access Easement, or Public Trail	1.25 x tallest wind tower height
Property Line	1.25 x tallest wind tower height
On-site or Off-site Buildings Other Than a Residential Structure	1 x tallest wind tower height
Trees	As required by the Fire Department
Scenic Drives, Scenic Highways and Scenic Routes as identified in the General Plan or applicable Area or Community Plan	1,000 feet

4. Maximum number. More than one wind tower may be located on the same property if all of the location requirements and standards of this Part 15 are met for each wind tower. A maximum of two wind towers are permitted for each five gross acres of land.

5. Maximum wind tower height. The maximum wind tower height shall not exceed the height limit as depicted in Figure 22.52.1625-B below:

a. A total of 35 feet measured from the finished grade to the top of the blade in the vertical position for parcels of less than one gross acre in size;

b. A total of 65 feet measured from the finished grade to the top of the blade in the vertical position for parcels from one gross acre to less than two gross acres in size; and

c. A total of 85 feet measured from the finished grade to the top of the blade in the vertical position for parcels of two gross acres or greater in size.

**FIGURE 22.52.1625-B – HEIGHT STANDARDS FOR TEMPORARY  
METEOROLOGICAL TOWERS**

**FIGURE 22.52.1625-B  
HERE**

**22.52.1630 Standards for Small-Scale Wind Energy Systems.**

A. In addition to the standards required under subsection A of Section 22.52.1625, the following standards shall also apply to all small-scale wind energy systems:

1. Automatic overspeed controls. A small-scale wind energy system shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of such system.

2. Significant ridgelines. The highest point of a small-scale wind energy system shall be located at least 50 vertical feet and 50 horizontal feet from a

significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or within an applicable Community Standards District.

3. Coastal Zone. Within the Coastal Zone, the placement of any small-scale wind energy system shall not obstruct public views of the ocean from a Scenic or Visual Resource (e.g., Significant Ridgeline, Scenic Route, Scenic Element, and Scenic Viewshed) identified in the applicable Local Coastal Program, unless specific provisions for such siting are provided for in the applicable Local Coastal Program and Coastal Development Permit or long-range development plan.

B. Structure-mounted. The combined height of a structure and structure-mounted wind tower shall not exceed the height limit of the zone by more than five feet.

C. Ground-mounted. In addition to the standards required under subsection C of Section 22.52.1625, the following standards shall also apply to ground-mounted small-scale wind energy systems:

1. Blade clearance. No portion of a blade shall extend within 20 feet of the finished grade.

2. Impacts to birds and bats.

a. Design. Use of trellis-style towers is prohibited.

b. Guy wires. Safety wires shall be installed on the turnbuckles of guy wires. Anchor points for any guy wires shall be located within the same property as the system, and located in such a manner so as not to be on or across any above-ground electric transmission or distribution lines.

c. Setbacks. The following setback requirements shall apply to reduce impacts to birds and bats:

i. No part of the small-scale wind energy system shall be closer than 300 feet or five times the tallest wind tower height, whichever is greater, from the following:

- (A) Bat roosting sites;
- (B) Recorded open space easements and publicly designated preserve areas; and
- (C) Riparian areas and wetlands.

ii. No part of the small-scale wind energy system shall be closer than one mile from a known golden eagle nest site.

3. Signs. One sign, limited to 18 inches in length and 12 inches in height, shall be posted at the base of each wind tower. The sign shall include a note of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

**22.52.1635 Standards for Utility-Scale Wind Energy Facilities.**

A. In addition to the standards required under subsection A of Section 22.52.1625 and subsection A of Section 22.52.1630, the following standards shall also apply to all utility-scale wind energy facilities:

1. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility-scale wind energy facility must meet all applicable development standards of the zone.

2. Aviation safety.

a. A utility-scale wind energy facility shall not be located within the Runway Protection Zone of any airport, as depicted in the County's airport land use compatibility plans.

b. A utility-scale wind energy facility shall not penetrate the imaginary surfaces (primary, approach, transitional, horizontal, and conical surfaces) as defined by the Federal Aviation Administration Federal Aviation Regulations Part 77 to protect the use of navigable airspace.

3. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall consist of motion sensors for entry-lighting to the on-site equipment structures and buildings.

B. Structure-mounted. Structure-mounted utility-scale wind energy facilities shall be subject to the following standards:

1. Height. The combined height of a structure and structure-mounted utility-scale wind energy facility shall not exceed the height limit of the zone by more than five feet.

2. Setbacks. Setbacks from the perimeter of the roof shall be:

a. Three feet on residential buildings; or

b. Four feet on non-residential or mixed use buildings.

C. Ground-mounted. Ground-mounted utility-scale wind energy facilities shall be subject to the following standards:

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1. Aviation safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint. High visibility sleeves shall be installed on the outer guy wires with high spherical marker balls of aviation orange color.

2. Blade clearance. No portion of a utility-scale wind energy facility blade shall extend within 30 feet from the finished grade.

3. Climbing apparatus. All climbing apparatus shall be located at least 12 feet above the finished grade, and all wind towers shall be designed to prevent climbing within the first 12 feet of the wind tower height, measured from finished grade.

4. Fencing. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

- a. Non-opaque fences may be permitted.
- b. Fencing up to eight feet in height may be permitted regardless of any other fencing standards.
- c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.
- d. Project perimeter fencing shall incorporate small animal-permeable design.

5. Impacts to birds and bats.

- a. Design. Use of trellis-style towers is prohibited.

b. Guy wires. The use of guy wires shall be prohibited for all utility-scale wind energy facilities.

c. Setbacks. The following setback requirements shall apply to reduce impacts to birds and bats:

i. No part of a ground-mounted utility-scale wind energy facility shall be closer than 0.25 miles from the following:

(A) Adopted Significant Ecological Areas;

(B) Recorded open space easements and publicly designated preserve areas; and

(C) Riparian areas and wetlands.

ii. No part of a ground-mounted utility-scale wind energy facility shall be closer than 0.5 miles from bat roosting sites.

iii. No part of a ground-mounted utility-scale wind energy facility shall be closer than one mile from a known golden eagle nest site.

6. Lighting. Light-sensor or motion-sensor lighting is required for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings for projects within the Rural Outdoor Lighting District.

7. Location. The minimum distance and safe clearances for a utility-scale wind energy facility shall be as depicted in Table 22.52.1635-A. The required distance shall also comply with any applicable fire setback requirements pursuant to the California Public Resources Code Section 4290.

<p><b>TABLE 22.52.1635-A – SETBACK REQUIREMENTS FOR GROUND-MOUNTED UTILITY-SCALE WIND ENERGY FACILITY</b></p>
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<b>Setback from</b>	<b>Minimum Distance</b>
On-site or Off-site Residence or Habitable Structure	2 x tallest wind tower height
Public Road or Highway	As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes.
Above Ground Transmission Line, Public Access Easement, or Public Trail	2 x tallest wind tower height
Property Line	2 x tallest wind tower height
On-site or Off-site Buildings Other Than a Residential Structure	1 x tallest wind tower height
Trees	As required by the Fire Department
Scenic Drives and Scenic Routes as identified in the General Plan or in an applicable Area or Community Plan	2 x tallest wind tower height
Railway	2 x tallest wind tower height

8. Maximum height. Wind tower height shall not exceed 500 feet above finished grade.

9. Signs. One ground-mounted or pole-mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner information and emergency contact. No other signs shall be installed for the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.

**22.52.1640 Modifications.**

A. When a site plan review is required, a Conditional Use Permit in compliance with Part 1 of Chapter 22.56, is required for any modification to the applicable standards in this Part 15, except as otherwise provided herein. In addition to

those required by Section 22.52.1650, the applicant for such Conditional Use Permit shall substantiate the following findings:

1. Due to topographic or physical features of the site, strict compliance with all of the required standards would substantially and unreasonably interfere with the establishment of the proposed development on the subject property; and

2. The requested modification(s) would not be contrary to the purpose of this Part 15.

B. When a Minor Conditional Use Permit or Conditional Use Permit is required, any modification of the applicable standards in this Part 15 may be requested as part of said permit, except as otherwise provided herein. The applicant shall substantiate the findings provided in subsection A above in addition to those required by Section 22.52.1650 and Part 1 of Chapter 22.56.

C. A small-scale solar energy system that exceeds the maximum lot coverage required under subsection B.2 of Section 22.56.1615, requires approval of a Minor Conditional Use Permit pursuant to Part 1 of Chapter 22.56 and is subject to the development standards specified in subsections A and B.1 of Section 22.52.1615 and A.2 and C.5 of Section 22.52.1620 and conditions specified in subsections A.2.d and A.2.g of Section 22.52.1655.

D. A wind tower greater than 500 feet in height requires approval of a variance pursuant to Part 2 of Chapter 22.56.

**22.52.1645 Uses Subject to Permits – Aviation Review.**

For any use subject to a Minor Conditional Use Permit or Conditional Use Permit and located within a Military Installations and Operations Area (MIOA) or Airport Influence Areas (AIAs) as identified by the General Plan or applicable Airport Land Use Compatibility Plan(s), the following provisions apply:

A. Consultation. Aviation-related agencies shall be consulted for review of the proposed project for any potential impacts to ensure the safety of residents and continued viability of military training and testing operations. The Department shall distribute copies of the proposed site plan, elevation plan, and location map to the aviation-related agencies and shall request comments within a minimum 30-day period. Applicable aviation-related agencies to be consulted include, but are not limited to, the Federal Aviation Administration, United States Navy, Edwards Air Force Base, Air Force Plant 42, United States Forest Service, California Department of Transportation Division of Aeronautics, Public Works . Aviation Division, Department of Regional Planning Airport Land Use Commission, County Forester and Fire Warden, and County Sheriff. The consultation review shall request consideration of the following:

1. Uses that produce electromagnetic and frequency spectrum interference, which could impact military operations;
2. Uses that release into the air any substances that may impair visibility such as steam, dust, or smoke;
3. Uses that produce light emissions that could interfere with pilot vision or be mistaken for airfield lighting such as glare or distracting lights; and
4. Uses that physically obstruct any portion of the MIOA due to relative height above ground level.

B. Any comments received through consultation shall be considered by the Department and provided to the Hearing Officer.

**22.52.1650 Uses Subject to Permits – Findings.**

In addition to the findings required under Part 1 of Chapter 22.56, the Hearing Officer shall approve a Minor Conditional Use Permit or Conditional Use Permit if he or she finds that:

A. The proposed development is sited and designed and will be constructed in such a way to minimize significant impacts to the environment including impacts to birds and bats, through appropriate measures including minimizing proximity to perch sites such as transmission lines and towers;

B. The proposed development is sited in such a way to minimize site disturbance (i.e., grading, brush clearance, and other forms of earthwork);

C. For ground-mounted utility-scale solar energy facilities and utility-scale wind energy facilities, the proposed vegetation along project perimeter fencing will:

1. Sufficiently provide buffer from adjacent residential and agricultural uses through variable placement and muting of frontage or other sensitive viewsheds so as to provide a natural visual transition between the project and its surroundings,

2. Sufficiently provide ground cover to the satisfaction of the staff biologist, and

3. Provide such buffer and ground cover in a timely manner to the satisfaction of the staff biologist; and

D. If the proposed development penetrates the lower floor elevation of any MIOA, the military operator of that MIOA has determined that the proposed

development is not detrimental to the function of that MIOA and would not pose a health or safety hazard to military personnel or the public.

**22.52.1655 Uses Subject to Permits – Conditions of Approval.**

If a Minor Conditional Use Permit or Conditional Use Permit is required, the following conditions of approval shall apply:

A. Utility-scale solar energy facilities.

1. Glare. All utility-scale solar energy facilities shall be designed and located in such a way to minimize reflective glare toward any habitable structure on adjacent properties as well as adjacent street rights-of-way.

2. Ground-mounted.

a. Access roads. All temporary and permanent ingress and egress points to the ground-mounted utility-scale solar energy facility shall be designed and sited to the satisfaction of Public Works and the Fire Department, and shall consider adequate spacing from intersections and maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder, or application of similarly effective material to control dust such as use of gravel.

b. Decommissioning.

i. The draft decommissioning plan shall be prepared to the satisfaction of the Director and the Director of Public Works.

ii. Prior to any ground disturbance or the issuance of any grading or building permit, performance and financial guarantees in an amount sufficient to ensure the performance of the decommissioning plan shall be determined to the satisfaction of the Director and the Director of Public Works, and incorporated into

a final decommissioning plan. The amount shall be posted prior to any ground disturbance or the issuance of any grading or building permit.

iii. Prior to any ground disturbance or the issuance of any grading or building permit, the permittee shall record an easement granting access to the County for activities related to decommissioning. A draft easement document shall be submitted prior to easement recordation, for review and approval by the Director and the Director of Public Works.

iv. In the event that any portion of a ground-mounted utility-scale solar energy facility is not in operational condition for a consecutive period of six months, ceased operation, or the permit for the use has expired, operations for that use shall be deemed to have been discontinued. Upon written notice from the Department to the permittee advising of the discontinued use, the use shall be renewed or removed from the site within the time period specified below:

(A) Within six months after the written notice of discontinued use is sent to the permittee, decommissioning of the use shall commence in accordance with the decommissioning plan.

(B) Within the six month period specified by subsection d.i above, the permittee may provide the Department with a written request and justification for an extension to resume operations of the system, facility, or portions thereof.

c. Landscaped buffer. The following conditions shall apply:

i. A landscaped area at least 10 feet in depth shall be maintained along any project perimeter fencing, between such fencing and any public right-of-way or adjacent property with an existing residential or agricultural use.

ii. Existing non-invasive, drought-tolerant vegetation approved by the staff biologist shall be retained, and/or new non-invasive, drought-tolerant vegetation approved by the staff biologist shall be planted within the landscaped area.

iii. The landscaped area shall incorporate a variety of design elements appropriate for the surrounding area, including but not limited to hardscape, such as decorative rocks, boulders, berms, and fencing; and softscape, such as trees, shrubs, vines, and succulents. In no way shall the hardscape or softscape features adversely affect drainage patterns.

iv. The landscaped area shall be established in such manner that adequate corner sight distance is maintained from all access roads to the public right of way to the satisfaction of the Director of Public Works.

v. The landscaped area shall be planted and temporary irrigation system installed prior to final permit inspection of the project or project phase to the satisfaction of the Director. Establishment of the plantings shall be verified at the time of regular inspections according to inspection time frames in the project conditions.

vi. The landscaped area shall be maintained throughout the life of the project.

d. Site disturbance. The measures found in this subsection shall in no way be construed as a substitute for compliance with State requirements imposed by the applicable Air Quality Management District.

i. Soil erosion. To ensure dust control and minimal soil erosion, existing vegetation may be mowed, but removal of existing vegetation root systems shall be prohibited, except where necessary for construction of access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County.

ii. Hydrology. The facility shall be designed to minimize erosion, sedimentation, or other impacts to the natural hydrology and drainage patterns of the site. Existing topography and watercourses shall be retained or restored to pre-development conditions following construction and during operations, except for drainage features specifically designed to mitigate drainage impacts. Prior to any discretionary approval, a hydrology study shall be prepared in compliance with the most recent County standards for addressing drainage impacts to the satisfaction of Public Works.

iii. Grading. To control fugitive dust and preserve the natural topography, the facility shall be designed in such a way that the ground disturbance or grading is limited to only the access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County. A site plan shall depict the extent of grading and ground disturbance, and the facility shall comply with all applicable grading standards.



iv. Fugitive dust control plan. A fugitive dust control plan including a dust plume response plan shall be prepared for review and approval by applicable agencies prior to any earthwork activities.

v. Construction practices.

(A) Fugitive dust. Fugitive dust emission shall be controlled by phased earthwork, site watering, use of clean gravel not to exceed a depth of six inches where applicable, application of non-toxic soil stabilizers, limiting public access on unpaved areas, posting private roadways with reduced speeds, and/or re-vegetation. Use of other fugitive dust mitigation measures may be implemented if determined by the Department and Department of Public Works to be suitable methods to adequately control dust during construction, operations, and removal and restoration activities.

(B) Vegetation. Work within the existing vegetation where the facility components are being proposed shall be conducted with minimal disturbance, and the operator shall take all necessary precautions to not use vehicles or machinery for grading or alter the existing grade in these areas. When vehicles or machinery are deemed necessary for utility scale solar energy installation work, appropriate ground-protection practices (such as construction mats, stabilizers, or established vegetation) shall be utilized for both dust suppression and to ensure that the use of vehicles or machinery is compatible with continued and future vegetation growth. The facility shall retain a biologist to confirm that construction practices are compatible with continued and future vegetation growth. Any grading, disking, scraping, or other ground disturbance proposed as part of the project shall be permanently stabilized with

an earth-stabilizing product or other measure that is acceptable to the Departments of Public Works, Regional Planning, and Public Health to prevent fugitive dust.

e. Transmission lines. On-site and off-site transmission lines shall be placed underground to the satisfaction of the Department and Department of Public Works, except where above-ground crossings are otherwise required (such as over the California Aqueduct). A franchise agreement shall be required for distribution/transmission facilities within the public right of way. Disturbed areas shall comply with subsection B.8 of this Section to ensure dust control and minimal soil erosion.

f. Visual impact. Any utility-scale solar energy facility that is placed within the viewshed of a Scenic Drive, Scenic Highway or Scenic Route identified in the General Plan or in an applicable Area Plan or Community Plan shall be analyzed for its visual impacts. Appropriate conditions relating to siting, buffering, height, and design of the facility may be imposed to minimize significant effects on the viewshed; and

g. Water quality protection. Measures to protect groundwater and surface water from waste discharge shall be incorporated into the project design, as appropriate, and shall meet the requirements of the Regional Water Quality Control Board

h. Water use.

i. The project shall use the minimum amount of water required during the construction period. The project shall be limited to the maximum

use of water as established by the Hearing Officer for the duration of the construction period.

ii. The project shall use the minimum amount of water required during the operation of the project. The project shall be limited to the maximum use of water as established by the Hearing Officer for the operation of the project for the duration of this grant.

iii. The project shall use piped recycled water if it is available from the public right-of-way within one mile from the project site at fair market value and suitable for use. If such piped recycled water does not meet the water demand, the project shall use piped potable water if it is available from the public right-of-way within one mile from the project site at fair market value and suitable for use.

iv. The permittee shall maintain a daily log, which shall include the number of gallons and acre feet of water used on the project site used for the following, which includes, but is not limited to: construction, operation, maintenance, landscaping, irrigation, and maintenance. The permittee shall record monthly water usage by source within five working days following the conclusion of each month. The log shall be made available to the Department upon demand.

**B. Temporary meteorological towers.**

1. Colors. Except as otherwise required in this Section, the colors used in the construction materials or finished surface shall be muted and visually compatible with the surrounding development or environment.

2. Maintenance. All equipment and wind towers shall be maintained in an operational condition that poses no potential safety hazards. Maintenance shall

include, but not be limited to, painting, regularly scheduled cleaning, routine mechanical and/or electrical repairs, structural repairs, and security measures.

3. Ground-mounted. All temporary and permanent ingress and egress points to the wind tower shall be designed, sited and maintained to the satisfaction of the Public Works and the Fire Department, and shall consider adequate spacing from intersections and maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder, or application of similarly effective material to control dust such as use of gravel.

C. Small-scale wind energy systems. In addition to the conditions of approval required under subsection B of this Section, the following conditions of approval shall also apply to small-scale wind energy systems:

1. Noise. Noise from a small-scale wind energy system shall not exceed 60 dBA SEL (single event noise level), as measured at the closest neighboring inhabited dwelling.

2. Visual Impact. Any small-scale wind energy system placed within the viewshed of a Scenic Drive, Scenic Highway or Scenic Route identified in the General Plan or in an applicable Area or Community Plan shall be assessed for its visual impacts, and appropriate conditions shall be applied relating to siting, buffers, and design of the system.

3. Ground-mounted. The vegetation within the entire area within 10 feet of the base of a wind tower shall be mowed, but removal of existing vegetation root systems shall be prohibited.

D. Utility-scale wind energy facilities. The conditions of approval required under subsections B and C of this section shall also apply to utility-scale wind energy facilities and subsection A.2 of this Section shall also apply to ground-mounted utility-scale wind energy facilities.

**22.52.1660 Enforcement Procedures.**

A. Pursuant to subsection A of Section 22.60.390, the Director or designee is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any permittee operating a small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower not in compliance with the provisions of this Part 15. The Final Zoning Enforcement Order shall subject the non-compliant operator to enforcement actions pursuant to Section 22.60.390, and to any civil and criminal remedies.

B. Nothing in this Section shall preclude the Director or designee from issuing a warning, field notice of violation, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility or temporary meteorological tower.

**SECTION 64.** Section 22.52.2430 is hereby amended to read as follows:

**22.52.2430 Wineries–Permit requirements.**

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C. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2410 and 22.52.2420 of this Part 23 shall be made conditions of approval for any winery CUP, except where modified by the Hearing Officer or the Commission.

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**SECTION 65.** Section 22.52.2460 is hereby amended to read as follows:

**22.52.2460 Tasting rooms–Permit requirements.**

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B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2440 and 22.52.2450 of this Part 23 shall be made conditions of approval for any tasting room CUP, except where modified by the Hearing Officer or the Commission.

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**SECTION 66.** Section 22.52.2490 is hereby amended to read as follows:

**22.52.2490 Remote tasting rooms–Permit requirements.**

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B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2470 and 22.52.2480 of this Part 23 shall be made conditions of approval for any remote tasting room CUP, except where modified by the Hearing Officer or the Commission.

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**SECTION 67.** Section 22.56.070 is hereby amended to read as follows:

**22.56.030 Application–Information Required.**

A. An application for a conditional use permit shall contain the following information:

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10. With each application, the applicant shall also file:

a. Maps in the number prescribed, and drawn to a scale specified by the director, showing the location of all property included in the request, the location of all highways, streets, alleys and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the subject parcel of land. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the subject parcel of land shall be provided in lieu of 500 feet,

b. One copy of said map shall indicate the uses established on every lot and parcel of land shown within said 500-foot radius or within said 300-foot radius if the application is for a minor conditional use permit in accordance with Section 22.56.085,

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c. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject parcel of land and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land to be occupied by the use. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the use shall be provided in lieu of 500 feet. One copy of said map shall indicate where such ownerships are located,

d. Proof satisfactory to the director that water will be available in quantities and pressures required by the Water Ordinance, set out at Division 1 of Title 20 of this code, or by a variance granted pursuant to said Division 1. The director may accept as such proof a certificate from the person who is to supply water that he can supply water as required by said Division 1 of Title 20, also stating the amount and pressure, which certificate also shall be signed by the forester and fire warden, or a certificate from the county engineer that such water will be available;

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**SECTION 68.** Section 22.56.070 is hereby amended to read as follows:

**22.56.070                    Application–Public Hearing Required–~~Exception~~**

In all cases where an application for a conditional use permit is filed, ~~except where the Director grants the permit pursuant to section 22.56.085,~~ the public hearing shall be held pursuant to the procedure provided in Part 4 of Chapter 22.60, except where an



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application for a minor conditional use permit is filed. A public hearing for a minor conditional use permit shall not be subject to the provisions of Section 22.60.175.

**SECTION 69.** Section 22.56.085 is hereby amended to read as follows:

**22.56.085** ~~Grant or Denial of Minor Conditional Use Permit.~~

A. ~~Any person filing a~~An application for a minor conditional use permit may ~~request the Director to consider the application in accordance with the section~~be filed for the following uses:

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-- Modification of significant ridgeline protection provisions as provided in Sections 22.44.143.D.10.b., 22.44.143.D.10.c. or 22.44.144.D.10.b.

-- Small-scale solar energy system, ground-mounted, in the Open Space and Watershed zones, in accordance with Part 15 of Chapter 22.52.

-- Small-scale wind energy system in accordance with Part 15 of Chapter 22.52.

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-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological towers in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in all zones except the Single-Family Residence zone, in accordance with Part 15 of Chapter 22.52.

-- ~~Wind energy conversion systems, non-commercial (WECS-N).~~

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B. The purpose of this section is to authorize the ~~director~~<sup>ex parte</sup> consideration of minor conditional use permit applications that by their nature are limited in scope and impacts.

~~C. The director shall cause notice of the application to be mailed by first-class mail, postage pre-paid, to all those addresses on the list required by subsection A.10.c of Section 22.56.030 that are within a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the requested use, and to such other persons whose property or interests might, in the director's judgment, be affected by the request. The notice shall describe the project and also indicate that any individual may request a public hearing on the application by filing a written request with the director within 14 calendar days following the date on the notice.~~

DC. ~~Unless at least two requests for a public hearing have been filed with the director as provided in subsection C of this section, the director~~<sup>The Hearing Officer</sup> may grant such permit ~~without a public hearing if the director~~ he or she finds that the use requested, subject to such conditions deemed necessary, will comply with the findings required by Section 22.56.090 and with any applicable requirements of Chapter 22.52, and if he or she further finds that the impacts of the use requested on safety, facilities and services, and natural resources are minor in nature.

ED. ~~The director shall notify the applicant and any persons who filed a timely request for a hearing of his decision. Any appeal from the director's decision shall be filed with the hearing officer within 14 days following the date on the notice of director's decision.~~ The decision of the Hearing Officer may be appealed to the commission. All appeals shall be filed within the time period set forth in, and shall be subject to all of the

other provisions of Part 5 of Chapter 22.60 except that the decision of the commission shall be final and effective on the date of the decision and shall not be subject to further administrative appeal, unless the permit was considered by the commission concurrently with a decision on a general plan or specific plan amendment, zone change, development agreement or other legislative action.

**SECTION 70.** Section 22.60.176 is hereby amended to read as follows:

**22.60.176 Conduct of Hearings-Hearing Officer duty.**

When a verified application is filed for a permit or variance and a hearing is required by Title 21 or this Title 22, the hearing officer shall hold such hearing unless the hearing examiner and/or commission conduct hearings pursuant to Section 22.60.171. The hearing officer shall hold a hearing for a minor conditional use permit application unless the minor conditional use permit is filed concurrently with an application for a general plan or specific plan amendment, zone change, development agreement or other legislative action.